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FITZPATRICK CELLA HARPER & SCINTO			RILEY, MARCUS T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/724,700	Applicant(s) ARATANI ET AL.
	Examiner MARCUS T. RILEY	Art Unit 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12/29/2009.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 1-8, 12 and 16 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 9,11 and 13-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 02 December 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statements (PTO/SB/06)
 Paper No(s)/Mail Date 01/29/2004/02/07/2008
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date: _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is responsive to applicant's remarks received on December 29, 2009.
Claims 9-11 & 13-15 are pending. **Claims 1-8, 12 & 16** have been cancelled.

Response to Arguments

2. Applicant's arguments with respect to amended **claims 9 & 13** filed on December 29, 2009 have been fully considered but they are not persuasive.

A: Applicant's Remarks

For Applicant's remarks see "*Applicant Arguments/Remarks Made in an Amendment*" filed December 29, 2009.

A: Examiner's Response

Applicant argues that nothing has been found in Narushima that teaches or suggests the data obtaining unit and the converting unit claimed in Claim 9. Moreover, Applicant argues that nothing has been found in the markup language shown in Fig. 19 of Narushima that teaches or suggests a script that is a function for executing a process to convert the set value of the print permission/inhibition information. Applicant also argues that Narushima fails to disclose a

broadcasting event command included in the digital broadcasting wave transmitted from the broadcasting station.

Examiner understands Applicant's arguments but respectfully disagree. Column 10, lines 14-19 and Fig. 8, Data Decoder 58 of Narushima teaches or suggests the data obtaining unit. The data decoder 58 outputs the SI information, among the decoded signals, that can directly be expanded into displayable data, as SI control signal over a system bus to the CPU system 65. Fig. 8, Contents Information Conversion Unit 68 and Column 12, line 66 thru column 13, line 23 of Narushima teaches or suggests the converting unit. The contents information conversion unit 68 reads out the contents information for printing, from the various contents information transiently stored in the contents information memory 67, and converts the contents of the contents information into contents suited to printing characteristics of the printer 32. Moreover, Narushima at Figs. 10 and 19 and Column 20, lines 25-30 and 64-67 teaches or suggests markup language shown and a script that is a function for executing a process to convert the set value of the print permission/inhibition information. Column 20, lines 25-30 shows a variety of markup languages. On the display device 31, a variety of markup languages are routinely used in the digital broadcast or on the Internet. These markup languages may be enumerated by, for example, HTML (hyper text markup language). Column 20, lines 64-67 shows a typical case in which the script information distributed by the digital broadcast is converted by the STB into a script suited to printing. The contents information is converted by the contents information conversion unit 68 provided in the STB 30 into the HTML form shown in Fig. 19. Column 20, lines 64-67 of discloses a broadcasting event command included in the digital broadcasting wave transmitted from the broadcasting station. Fig. 19 shows a script program and the script

information distributed by the digital broadcast is converted by the STB into a script suited to printing.

Accordingly, Examiner submits that Claim 9 is not patentable over Narushima. Independent Claim 13 is a method claim corresponding to apparatus Claim 9 is also not patentable. The other claims in this application depend from one or the other of the independent claims and therefore, are also not patentable for at least the same reasons. As a result, Applicant's Application is not in condition for allowance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 9-11 and 13-15** are rejected under 35 U.S.C. 102(e) as being anticipated by Narushima (US 6,774,951 hereinafter, Narushima '951).

Regarding claim 9; Narushima '951 discloses a data broadcasting receiving and reproducing apparatus (Fig. 4, Digital Video Receiver 10) comprising (i.e. The digital television receiver 10 includes a unitary structure comprised of a receiver 11 for receiving digital broadcast, a display unit 12 for demonstrating digital broadcast and a printer 13 for printing a picture comprehended in the digital broadcast. Column 7, lines 34-39 and column 1, lines 9-17):

a receiving unit (Fig. 4, Receiver 11) configured to receive a digital broadcasting wave transmitted from a broadcasting station (i.e. The Receiver 11 receives digital broadcast. Column 7, lines 34-39 and column 8, lines 52-65);

a data obtaining unit (Fig. 8, Data Decoder 58) for obtaining data broadcasting data including displayable content data and text data described in print permission/inhibition information of the content data (i.e. The data decoder 58 outputs the SI information, among the decoded signals, that can directly be expanded into displayable data, as SI control signal over a system bus to the CPU system 65. Column 10, lines 14-19);

and a script program (Fig. 19, Script Program) executed based on a broadcasting event command included in the digital broadcasting wave transmitted from the broadcasting station, the script program being defined preliminary correspondingly to the broadcasting event command (See Fig. 19 wherein Fig. 19 shows a script program. The script information distributed by the digital broadcast is converted by the STB into a script suited to printing. Column 20, lines 64-67);

wherein the print permission/inhibition information indicates a set value for permission or inhibition of printing the content data (i.e. The printer control signal interface 66, connected to a system bus provided in the STB 30, has the function of transmitting/receiving printer control signals to or from the printer 32. The printer control signals are signals commanding the printer 32 connected to outside from the STB 30 to start or discontinue the print operation or specifying the size or contents of a picture for printing to the printer 32. Column 12, lines 18-28).

the text data is described by a markup language (i.e. Fig. 10 shows a variety of markup languages. On the display device 31, a variety of markup languages are routinely used in the digital broadcast or on the Internet. These markup languages may be enumerated by, for example, HTML (hyper text markup language. Column 20, lines 25-30),

and the script program is included within the text data described in the markup language and is a function for executing a process to convert the set value of the print permission/inhibition information (i.e. Fig. 19 shows a typical case in which the script information distributed by the digital broadcast is converted by the STB into a script suited to printing. The contents information is converted by the contents information conversion unit 68 provided in the STB 30 into the HTML form shown in FIG. 19. Column 20, lines 64-67);

a storing unit (Fig. 8, Contents Information Memory 67) for storing the data broadcasting data obtained by said data obtaining unit (i.e. The Contents Information Memory stores the data and the STB 30 may be configured for transiently holding the desired contents information in the contents information memory 67 depending on a user command, or may be configured for updating the contents information comprehended in the received digital broadcast from time to time to store the occasionally updated contents information in the contents information memory 67. Column 12, lines 59-65);

a setting information obtaining unit (Fig. 8, Contents Information Outputting Unit 69) for obtaining, from the text data stored in the data storing unit, the print permission/inhibition information of the content data (Figs. 21 & 22 i.e. At Step S59 of Fig. 22, the STB 30 converts the contents information stored in the contents information memory 67 by the contents information conversion unit 68 and then moves to step S57. At step S57, the STB 30 sends the contents information converted by the contents information conversion unit 68 to the printer 32 through the contents information outputting unit 69. See column 23, lines 42-57 and column 24, lines 3-10);

converting unit (Fig. 8, Contents Information Conversion Unit 68) for converting the set value indicated by the print permission/inhibition information obtained by the data obtaining unit from one permitting the printing the content data into one inhibiting the content data, or from one inhibiting the printing the content data into one permitting the printing the content data(i.e. The contents information conversion unit 68 reads out the contents information for printing, from the various contents information transiently stored in the contents information memory 67, and converts the contents of the contents information into contents suited to printing characteristics of the printer 32. Column 12, line 66 thru column 13, line 23).

wherein said converting unit comprises a browser (Fig. 8, CPU 65) adapted to display the content data by interpreting the text data (i.e. The CPU system 65 also performs the processing of conversion to

displayable SI display signals, by performing conversion processing exploiting font data provided in the font ROM, based on the SI control signal output from the data decoder 58. Column 12, lines 12-18);

the browser converting the set value indicated by the print permission/inhibition information corresponding to the content data obtained by the data obtaining unit and stored in the data storing unit, (i.e. The CPU system 65 then performs conversion processing, exploiting the font data provided in the font ROM, based on the SI control signal, for conversion to displayable SI display signals. The data decoder 58 also decodes the contents information for printing by the printer 32 to output the decoded contents information to the contents information memory 67. Column 10, lines 4-19);

according to executing the script program corresponding to the broadcasting event command included in the digital broadcasting wave (i.e. Fig. 19 shows a typical case in which the script information distributed by the digital broadcast is converted by the STB into a script suited to printing. Column 20, lines 64-67).

Regarding claim 10; Narushima '951 discloses further comprising a transmitting unit (Fig. 8, Printer Control Signal Interface 66) for transmitting printable content data to a print device, based on the print permission/inhibition information obtained by said setting information obtaining unit (i.e. The printer control signal interface 66, connected to a system bus provided in the STB 30, has the function of transmitting/receiving printer control signals to or from the printer 32. Column 12, lines 18-24).

Regarding claim 11; Narushima '951 discloses further comprising a rendering unit (Fig. 12, Printer Control Signal Interface 88) for rendering printable content data, wherein the content data rendered by the rendering unit is transmitted by said transmitting unit to the print device (i.e. The printer control signal interface 88 is connected to a printer system bus provided in the printer 32 and has the function of transmitting/receiving printer control signals to or from the STB 30. Column 16, line 65 thru column 17, line 7).

Regarding claim 13; Independent claim 13 contains substantially similar features as that of apparatus claim 9. Thus, claim 13 is rejected on the same grounds as claim 9.

Regarding claim 14; Claim 14 contains substantially similar features as that of apparatus claim 10. Thus, claim 14 is rejected on the same grounds as claim 10.

Regarding claim 15; Claim 15 contains substantially similar features as that of apparatus claim 11. Thus, claim 15 is rejected on the same grounds as claim 11.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS T. RILEY whose telephone number is (571)270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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